

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 328 be amended to read as follows:

- 1 Page 7, delete lines 24 through 42.
- 2 Page 8, delete line 1.
- 3 Page 8, line 11, after "IC 31-34-24," insert "**IC 31-34-24.5, and**
- 4 **IC 31-37-24,**".
- 5 Page 8, line 23, delete "IC 31-33-26," and insert "**IC 31-33,**".
- 6 Page 8, reset in roman lines 29 through 30.
- 7 Page 8, line 31, reset in roman "(c)".
- 8 Page 8, line 31, delete "(b)".
- 9 Page 8, between lines 32 and 33, begin a new paragraph and insert:
- 10 "**(d) 'Plan', for purposes of IC 31-34-24.5, has the meaning set**
- 11 **forth in IC 31-34-24.5-1.**".
- 12 Page 8, line 36, delete "IC 31-34-24," and insert "**IC 31-34-24.5,**".
- 13 Page 8, line 36, after "in" insert "**IC 31-34-24.5-2.**".
- 14 Page 8, delete line 37.
- 15 Page 9, line 7, delete "IC 31-34-24-2.5." and insert "**IC**
- 16 **31-34-24.5-2.5.**".
- 17 Page 9, delete lines 8 through 15.
- 18 Page 12, line 9, delete "The department may, by".
- 19 Page 12, delete lines 10 through 14.
- 20 Page 12, between lines 18 and 19, begin a new paragraph and insert:
- 21 "**(c) The department shall appoint the citizen review panels in**
- 22 **the following manner:**
- 23 **(1) One (1) panel must be a community child protection team**
- 24 **established in a county under IC 31-33-3-1, selected by the**

1 director of the department with the consent of the team.

2 (2) One (1) panel must be either:

3 (A) the statewide child fatality review committee
4 established under IC 31-33-25-6; or

5 (B) a local child fatality review team established under
6 IC 31-33-24-6;

7 selected by the director of the department with the consent of
8 the committee or team.

9 (3) One (1) panel must be a foster care advisory panel
10 consisting of at least five (5) and not more than eleven (11)
11 members, selected to the extent feasible from the membership
12 of any foster care advisory group previously established or
13 recognized by the department. If the panel consists of seven
14 (7) or fewer members, the panel must include at least one (1)
15 foster parent licensed by the department through a county
16 office and one (1) foster parent licensed by the department
17 through a child placing agency licensed under IC 31-27-6. If
18 the panel consists of more than seven (7) members, the panel
19 must include two (2) foster parents licensed by the
20 department through a county office and two (2) foster parents
21 licensed by the department through a child placing agency
22 licensed under IC 31-27-6. Additional members of the panel
23 must include one (1) or more individuals who are employed by
24 a child placing agency licensed under IC 31-27-6 and who
25 provide services to foster families and children placed by the
26 department in out-of-home placements, and may include
27 other representatives of child welfare service providers or
28 persons who provide training to current or prospective foster
29 parents. All members of this panel must be individuals who
30 are not employees of the department.

31 (4) The membership of any additional citizen review panels
32 established under this section shall be determined by the
33 director of the department, consistent with the guidelines for
34 panel membership stated in subsection (b) and the purposes
35 and functions of the panels as described in this section.

36 (5) Each citizen review panel shall be appointed for a term of
37 three (3) years beginning July 1, 2007. Upon expiration of the
38 term of the panel described in subdivision (1), the director of
39 the department shall select a community child protection
40 team established in a different county for the succeeding term.
41 Upon expiration of the term of the panel described in
42 subdivision (2), the director of the department shall select a
43 different fatality review team, or committee, if available, for
44 the succeeding term. Panels appointed under subdivision (3)
45 or (4) may be reappointed for successive terms, in the
46 discretion of the director of the department. The director may
47 appoint individuals as needed to fill vacancies that occur

1 **during the term of any panel appointed under subdivision (3)**
 2 **or (4)."**

3 Page 12, line 19, delete "(c)" and insert "**(d)**".

4 Page 12, line 26, delete "(d)" and insert "**(e)**".

5 Page 12, line 31, delete "(e)" and insert "**(f)**".

6 Page 12, line 33, delete "(d)," and insert "**(e),"**".

7 Page 12, line 38, delete "(f)" and insert "**(g)**".

8 Page 13, line 1, delete "(g)" and insert "**(h)**".

9 Page 13, line 10, delete "(h)" and insert "**(i)**".

10 Page 13, line 10, delete "(g)," and insert "**(h),"**".

11 Page 13, line 13, delete "(i)" and insert "**(j)**".

12 Page 41, line 34, delete "a copy of" and insert "**identifiable**
 13 **information concerning**".

14 Page 53, line 2, delete "before a detention hearing" and insert
 15 **"within five (5) days after the detention hearing, excluding**
 16 **Saturdays, Sundays, and any day on which a legal holiday is**
 17 **observed for state employees as provided in IC 1-1-9. The initial**
 18 **hearing may be held at the same time as the detention hearing if all**
 19 **necessary parties are available and consent."**

20 Page 53, delete line 3.

21 Page 53, line 22, delete "before the detention hearing is held for the
 22 child." and insert **"within five (5) days after the detention hearing,**
 23 **excluding Saturdays, Sundays, and any day on which a legal**
 24 **holiday is observed for state employees as provided in IC 1-1-9.**
 25 **The initial hearing may be held at the same time as the detention**
 26 **hearing if all necessary parties are available and consent."**

27 Page 53, delete lines 35 through 42.

28 Page 54, delete lines 1 through 36.

29 Page 59, between lines 16 and 17, begin a new paragraph and insert:
 30 "SECTION 52. IC 31-34-24-0.3 IS ADDED TO THE INDIANA
 31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2007]: **Sec. 0.3. This chapter applies only to**
 33 **a county having a consolidated city.**

34 SECTION 53. IC 31-34-24-0.7 IS ADDED TO THE INDIANA
 35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2007]: **Sec. 0.7. As used in this chapter,**
 37 **"county" means a county having a consolidated city."**

38 Page 59, delete lines 17 through 42, begin a new paragraph and
 39 insert:

40 "SECTION 54. IC 31-34-24-3 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2007]: **Sec. 3. ~~Each~~ The** county
 42 shall develop a community services plan for early intervention that is
 43 tailored to provide services targeted to the individual needs of children
 44 who:

45 (1) have been either:

46 (A) adjudicated as, or alleged in a proceeding initiated under

1 this article to be, children in need of services; or
 2 (B) identified by the county office, based on information
 3 received from:

- 4 (i) a school;
- 5 (ii) a social service agency;
- 6 (iii) a court;
- 7 (iv) a probation department;
- 8 (v) the child's parent or guardian; or
- 9 (vi) an interested person in the community having
- 10 knowledge of the child's environment and family
- 11 circumstances;

12 and, after an informal investigation, as substantially at risk of
 13 becoming children in need of services; and

- 14 (2) have been referred to the county office by, or with the consent
- 15 of, the child's parent, guardian, or custodian, for services to be
- 16 provided through the plan based on an individual case plan for the
- 17 child.

18 SECTION 55. IC 31-34-24-4, AS AMENDED BY P.L.145-2006,
 19 SECTION 326, IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) ~~Before March 1, 1998, each~~
 21 **The** county shall establish a team to develop a plan as described in this
 22 chapter.

23 (b) The team is composed of the following members, each of whom
 24 serves at the pleasure of the member's appointing authority:

- 25 (1) Two (2) members appointed by the judge or judges of the
- 26 juvenile court, one (1) of whom is a representative of the
- 27 probation department.

- 28 (2) Two (2) members appointed by the director of the county
- 29 office as follows:

30 (A) One (1) is a member of the staff of the department who
 31 provides child welfare services to the county office.

32 (B) One (1) is either:

- 33 (i) an interested resident of the county; or
- 34 (ii) a representative of a social service agency;
- 35 who knows of child welfare needs and services available to
- 36 residents of the county.

- 37 (3) One (1) member appointed by the superintendent of the largest
- 38 school corporation in the county.

39 (4) If:

40 (A) two (2) school corporations are located within the county,
 41 one (1) member appointed by the superintendent of the second
 42 largest school corporation in the county; or

43 (B) more than two (2) school corporations are located within
 44 the county, one (1) member appointed by the county fiscal
 45 body as a representative of school corporations other than the
 46 largest school corporation in the county.

(5) One (1) member appointed by the county fiscal body.

(6) One (1) member representing the community mental health center (as defined under IC 12-7-2-38) serving the county, appointed by the director of the community mental health center. However, if more than one (1) community mental health center serves the county, the member shall be appointed by the county fiscal body.

(7) One (1) or more additional members appointed by the chairperson of the team, from among interested or knowledgeable residents of the community or representatives of agencies providing social services to or for children in the county.

SECTION 56. IC 31-34-24-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. If ~~a~~ **the** county has in existence a committee, council, or other organized group that includes representatives of all of the appointing authorities described in section 4 of this chapter, the county director may elect to designate that existing organization as the county's team for purposes of this chapter."

Delete pages 60 through 63.

Page 64, delete lines 1 through 31, begin a new paragraph and insert:

"SECTION 57. IC 31-34-24-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. Before January 1 of each year, the team shall prepare and submit to the ~~judges~~ **judge** having juvenile jurisdiction in the county the team's plan for review and comment. The judge shall submit any comments to the chairperson not more than fifteen (15) calendar days after receiving the plan. The team shall before January 25 of each year transmit a copy of the plan, including any comments from the judges, to:

(1) the director; and

(2) the state superintendent of public instruction."

Page 64, line 33, reset in roman "The team".

Page 64, line 33, delete "A".

Page 64, line 34, delete "regional services council".

page 64, line 34, reset in roman "may adopt as".

Page 64, line 34, delete "include in".

Page 64, line 34, reset in roman "an existing".

Page 64, line 35, reset in roman "plan".

Page 64, line 35, delete "a program".

Page 64, line 35, after "services" insert ", ,".

Page 64, line 35, reset in roman "as".

Page 64, line 36, reset in roman "defined in".

Page 64, line 36, after "IC 12-7-2-82.3," insert **"IC 31-9-2-44.8,"**.

Page 65, line 9, reset in roman "team".

Page 65 line 9, delete "regional services council".

Page 65, line 9, reset in roman "county fiscal body".

- 1 Page 65, line 9, delete "director".
- 2 Page 65, line 11, reset in roman "director".
- 3 Page 65, line 11, delete "county".
- 4 Page 65, line 12, delete "fiscal body".
- 5 Page 65, delete lines 13 through 42.
- 6 Delete page 66.
- 7 Page 67, delete lines 1 through 14, begin a new paragraph and
- 8 insert:
- 9 "SECTION 58. IC 31-34-24-18, AS AMENDED BY P.L.234-2005,
- 10 SECTION 185, IS AMENDED TO READ AS FOLLOWS
- 11 [EFFECTIVE JULY 1, 2007]: Sec. 18. The
- 12 (†) juvenile court, in implementing a program of informal
- 13 adjustment for a child under IC 31-34-8, ~~and~~
- 14 (2) ~~department of child services; in proposing a voluntary services~~
- 15 ~~referral agreement for the benefit of a child under IC 31-33-13;~~
- 16 shall consider and use to the extent feasible any available services
- 17 described in an early intervention plan approved under this chapter.
- 18 SECTION 59. IC 31-34-24.5 IS ADDED TO THE INDIANA
- 19 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2007]:
- 21 **Chapter 24.5. Regional Services Strategic Plan**
- 22 **Sec. 1. As used in this chapter, "plan" means a regional services**
- 23 **strategic plan to achieve the purposes described in section 3 of this**
- 24 **chapter.**
- 25 **Sec. 2. As used in this chapter, "regional services council"**
- 26 **means a council appointed as provided in section 4 of this chapter.**
- 27 **Sec. 2.5. As used in this chapter, "service region" means an area**
- 28 **of Indiana consisting of one (1) or more counties.**
- 29 **Sec. 2.8. (a) Each county shall participate in a regional services**
- 30 **council established under this chapter for the service region in**
- 31 **which the county is located.**
- 32 **(b) The department shall determine the county or counties that**
- 33 **comprise each service region. A county may not be divided when**
- 34 **establishing a service region.**
- 35 **Sec. 3. (a) This section does not apply to a county containing a**
- 36 **consolidated city.**
- 37 **(b) Each regional services council shall develop an annual**
- 38 **regional services strategic plan that is tailored to provide services**
- 39 **targeted to the individual needs of children who:**
- 40 **(1) have been either:**
- 41 **(A) adjudicated as, or alleged in a proceeding initiated**
- 42 **under this article to be, children in need of services; or**
- 43 **(B) identified by the county office, based on information**
- 44 **received from:**
- 45 **(i) a school;**
- 46 **(ii) a social service agency;**
- 47 **(iii) a court;**

(iv) a probation department;

(v) the children's parent or guardian; or

(vi) an interested person in the community having knowledge of the children's environment and family circumstances;

and after an informal investigation, as substantially at risk of becoming children in need of services; and

(2) have been referred to the county office by, or with the consent of, the children's parent, guardian, or custodian, for services to be provided through the plan based on an individual case plan for the child.

Sec. 3.5. (a) This subsection does not apply to a county containing a consolidated city. Each regional services council shall, as determined by the director, supervise and administer the activities, duties, and responsibilities of the department specified in IC 31-25 through IC 31-40.

(b) Each regional services council shall, according to guidelines and policies established by the department, approve and distribute funds to service providers from federal grants and state appropriations:

(1) that the department allocates to the service region; and

(2) that are used to fund programs and services administered by the department.

Sec. 4. (a) This section does not apply to a county containing a consolidated city.

(b) Each regional services council shall develop a plan as described in this chapter.

(c) If the regional services council consists of at least three (3) counties, the regional services council is composed of the following members from the service region:

(1) The regional manager, who must be an employee of the department.

(2) Three (3) members who are judges of courts with juvenile jurisdiction.

(3) Three (3) members who are directors of a county office.

(4) Two (2) family case manager supervisors.

(5) Two (2) family case managers assigned to a county office.

(6) One (1) licensed foster parent.

(7) One (1) guardian ad litem or court appointed special advocate.

(8) One (1) individual who:

(A) is at least sixteen (16) and less than twenty-five (25) years of age;

(B) is a resident of the service region; and

(C) has received or is receiving services through funds provided, directly or indirectly, through the department.

(d) If the service region of the regional services council consists

of one (1) or two (2) counties, the regional services council members must include at least:

- (1) two (2) family case manager supervisors; and
- (2) one (1) person from each category listed in subsection (c), except for subsection (c)(5).

(e) Except as provided in section 4.3 of this chapter, the director shall appoint the members of the regional services council.

Sec. 4.1. (a) The term for each member of a regional services council is two (2) years. New terms begin on July 1 of each odd-numbered year.

(b) Except for the regional manager and the juvenile court judges, a member may not be appointed to a regional services council for more than two (2) consecutive terms.

(c) If a member of a regional services council ceases to meet the qualifications for the member's position on the council, the member's term of office terminates and the member's office becomes vacant.

(d) If there is a vacancy on a regional services council, the appointing authority who appointed the member whose position is vacant shall appoint an individual to fill the vacancy. The member appointed under this subsection shall fill the vacancy for the remainder of the unexpired term.

(e) If the service region of a regional services council contains more than one (1) county office, the members appointed under section 4(b)(3) of this chapter shall be appointed on a rotating basis so that each county office in the service region is represented on the regional services council through successive appointments.

Sec. 4.3. (a) If the service region of a regional services council contains more than three (3) judges of courts with juvenile jurisdiction, all the judges of courts with juvenile court jurisdiction in the region shall nominate the members of the regional services council appointed under section 4(b)(2) of this chapter. However, if the service region contains not more than three (3) judges of courts with juvenile jurisdiction, each judge of a court with juvenile jurisdiction in the region is a member of the regional services council.

(b) The member appointed under section 4(b)(4) of this chapter must be the presiding officer of the county fiscal body or a member of the county fiscal body who is appointed by the presiding officer. If the service region contains more than one (1) county, the member appointed under section 4(b)(4) of this chapter from each county in the service region shall serve a single two (2) year term. The order of the member's terms must begin with the county with the largest population and succeed to each county in descending population order. After the member of the county with the smallest population has served, the order of counties must repeat, beginning with the county with the largest population.

(c) When appointing members of the regional services council under section 4(b)(7) through 4(b)(9) of this chapter, the director shall consider the recommendations from any organization or association that represents the category of individual specified in the applicable subdivision.

Sec. 4.5. A majority of the members of a regional services council constitutes a quorum. The affirmative vote of a majority of the council present is required to take any official action.

Sec. 6. (a) The regional manager shall convene an organizational meeting of the members of the regional services council appointed under section 4 of this chapter.

(b) The regional manager shall serve as the chairperson of the regional services council. The regional services council shall select one (1) of its members as vice chairperson.

Sec. 7. (a) This section does not apply to a county containing a consolidated city.

(b) Before January 1 of each year, a regional services council shall prepare and submit to the judges having juvenile jurisdiction in the regional services council's service region the regional services council's plan for review and comment. Each judge shall submit any comments to the chairperson not more than fifteen (15) calendar days after receiving the plan. The regional services council shall before January 25 of each year transmit a copy of the plan, including any comments from the judges, to:

(1) the director; and

(2) each county fiscal body in the service region.

Sec. 8. (a) This section does not apply to a county containing a consolidated city.

(b) In preparing the plan under section 7 of this chapter, a regional services council shall review and consider existing publicly and privately funded programs that are available or that could be made available in the regional services council's service region to provide supportive services to or for the benefit of children described in section 3 of this chapter without removing the children from the family home, including programs funded through the following:

(1) Title IV-B of the Social Security Act (42 U.S.C. 620 et seq.).

(2) Title IV-E of the Social Security Act (42 U.S.C. 670 et seq.).

(3) Title XX of the Social Security Act (42 U.S.C. 1397 et seq.).

(4) The federal Child Abuse Prevention and Treatment Act (42 U.S.C. 5106 et seq.).

(5) Community corrections programs under IC 11-12.

(6) Special education programs under IC 20-35-6-2.

(7) All programs designed to prevent child abuse, neglect, or delinquency, or to enhance child welfare and family

1 preservation administered by, or through funding provided
 2 by, the department, county offices, prosecutors, or juvenile
 3 courts, including programs funded under IC 12-19-7 and
 4 IC 31-40.

5 (8) Probation user's fees under IC 31-40-2-1.

6 (9) Child advocacy fund under IC 12-17-17.

7 **Sec. 10. (a) This section does not apply to a county containing a**
 8 **consolidated city.**

9 **(b) A regional services council may include in its plan a**
 10 **program for provision of family preservation services that:**

11 **(1) is or will be in effect in the regional services council's**
 12 **service region;**

13 **(2) includes services for a child less than eighteen (18) years**
 14 **of age who reasonably may be expected to face out of home**
 15 **placement under IC 31-34 or IC 31-37 as a result of:**

16 **(A) abuse or neglect;**

17 **(B) emotional disturbance; or**

18 **(C) delinquency adjudication; and**

19 **(3) addresses all of the objectives of family preservation**
 20 **services.**

21 **Sec. 11. (a) This section does not apply to a county containing a**
 22 **consolidated city.**

23 **(b) A county fiscal body may, not later than thirty (30) days**
 24 **after receiving the plan, transmit to the regional services council**
 25 **and the director any comments, including recommendations for**
 26 **modification of the plan, that the county fiscal body considers**
 27 **appropriate.**

28 **Sec. 12. (a) This section does not apply to a county containing a**
 29 **consolidated city.**

30 **(b) Not later than sixty (60) days after receiving the plan, the**
 31 **director shall do one (1) of the following:**

32 **(1) Approve the plan as submitted by the regional services**
 33 **council.**

34 **(2) Return the plan to the regional services council with**
 35 **suggested amendments, modifications, or revisions.**

36 **(3) Return the plan to the regional services council with**
 37 **directions concerning:**

38 **(A) subjects for further study and reconsideration; and**

39 **(B) resubmission of a revised plan.**

40 **Sec. 13. (a) This section does not apply to a county containing a**
 41 **consolidated city.**

42 **(b) Upon receiving the initial plan and each revised or updated**
 43 **plan, each county fiscal body in the service region shall consider**
 44 **the plan in developing the family and children's fund budget.**

45 **(c) The county fiscal body may appropriate from the family and**
 46 **children's fund any amounts necessary to provide funding to**
 47 **implement the plan.**

1 **Sec. 14. (a) This section does not apply to a county containing a**
 2 **consolidated city.**

3 **(b) A regional services council shall meet at least one (1) time**
 4 **each year to do the following:**

5 **(1) Develop, review, or revise a strategy for implementation**
 6 **through the plan that identifies:**

7 **(A) the manner in which prevention and early intervention**
 8 **services will be provided or improved;**

9 **(B) how local collaboration will improve children's**
 10 **services; and**

11 **(C) how different funds can be used to serve children and**
 12 **families more effectively.**

13 **(2) Reorganize as needed and select its vice chairperson for**
 14 **the ensuing year.**

15 **(3) Review the implementation of the plan and prepare**
 16 **revisions, additions, or updates of the plan that the regional**
 17 **services council considers necessary or appropriate to**
 18 **improve the quality and efficiency of early intervention child**
 19 **welfare services provided in accordance with the plan.**

20 **(4) Prepare and submit to each county fiscal body a report on**
 21 **the operations of the plan during the preceding year and a**
 22 **revised and updated plan for the ensuing year.**

23 **(c) The chairperson or vice chairperson of a regional services**
 24 **council may convene any additional meetings of the regional**
 25 **services council that are, in the chairperson's or vice chairperson's**
 26 **opinion, necessary or appropriate.**

27 **Sec. 15. (a) This section does not apply to a county containing a**
 28 **consolidated city.**

29 **(b) A regional services council or the director shall transmit**
 30 **copies of the plan, each annual report, and each revised plan to the**
 31 **following in the regional services council's service region:**

32 **(1) Each county office in the service region.**

33 **(2) Each juvenile court in the service region.**

34 **(3) The superintendent of each public school corporation that**
 35 **includes any part of the service region.**

36 **(c) A regional services council shall post a copy of each plan,**
 37 **annual report, or revised plan transmitted under subsection (a) to**
 38 **its web site.**

39 **Sec. 16. (a) This section does not apply to a county containing a**
 40 **consolidated city.**

41 **(b) A regional services council or county fiscal body in the**
 42 **regional services council's service region shall publicize to**
 43 **residents of each county in the service region the existence and**
 44 **availability of the plan.**

45 **Sec. 18. (a) This section does not apply to a county containing a**
 46 **consolidated city.**

47 **(b) The juvenile court, in implementing a program of informal**

1 adjustment for a child under IC 31-34-8 shall consider and use to
 2 the extent feasible any available services described in a plan
 3 approved under this chapter.

4 **Sec. 20. The department may adopt rules under IC 4-22-2 to**
 5 **administer this chapter."**

6 Page 71, between lines 40 and 41, begin a new paragraph and insert:

7 "SECTION 83. IC 31-37-24-0.3 IS ADDED TO THE INDIANA
 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2007]: **Sec. 0.3. This chapter applies only to**
 10 **a county having a consolidated city.**

11 SECTION 84. IC 31-37-24-0.7 IS ADDED TO THE INDIANA
 12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2007]: **Sec. 0.7. As used in this chapter,**
 14 **"county" means a county having a consolidated city.**

15 SECTION 85. IC 31-37-24-3, AS AMENDED BY P.L.145-2006,
 16 SECTION 353, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2007]: Sec. 3. ~~Each~~ **The** county shall develop
 18 a community services plan for early intervention that is tailored to
 19 provide services targeted to the individual needs of children who:

20 (1) have been either:

21 (A) adjudicated as, or alleged in a proceeding initiated under
 22 this article to be, delinquent children; or

23 (B) identified by the county office, based on information
 24 received from:

25 (i) a school;

26 (ii) a social service agency;

27 (iii) a court;

28 (iv) a probation department;

29 (v) the child's parent or guardian; or

30 (vi) an interested person in the community having
 31 knowledge of the child's environment and family
 32 circumstances;

33 and, after an informal investigation, as substantially at risk of
 34 becoming delinquent children; and

35 (2) have been referred to the county office or the department by,
 36 or with the consent of, the child's parent, guardian, or custodian,
 37 for services to be provided through the plan based on an
 38 individual case plan for the child.

39 SECTION 86. IC 31-37-24-4, AS AMENDED BY P.L.145-2006,
 40 SECTION 354, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) ~~Before March 1, 1998, each~~
 42 **The** county shall establish a team to develop a plan as described in this
 43 chapter.

44 (b) The team is composed of the following members, each of whom
 45 serves at the pleasure of the member's appointing authority:

46 (1) Two (2) members appointed by the judge or judges of the

juvenile court, one (1) of whom is a representative of the probation department.

(2) Two (2) members appointed by the director of the county office as follows:

(A) One (1) is a member of the staff of the department who provides child welfare services to the county office.

(B) One (1) is either:

(i) an interested resident of the county; or

(ii) a representative of a social service agency;

who knows of child welfare needs and services available to residents of the county.

(3) One (1) member appointed by the superintendent of the largest school corporation in the county.

(4) If:

(A) two (2) school corporations are located within the county, one (1) member appointed by the superintendent of the second largest school corporation in the county; or

(B) more than two (2) school corporations are located within the county, one (1) member appointed by the county fiscal body as a representative of school corporations other than the largest school corporation in the county.

(5) One (1) member appointed by the county fiscal body.

(6) One (1) member representing the community mental health center (as defined under IC 12-7-2-38) serving the county, appointed by the director of the community mental health center. However, if more than one (1) community mental health center serves the county, the member shall be appointed by the county fiscal body.

(7) One (1) or more additional members appointed by the chairperson of the team, from among interested or knowledgeable residents of the community or representatives of agencies providing social services to or for children in the county.

SECTION 87. IC 31-37-24-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. If ~~a~~ **the** county has in existence a committee, council, or other organized group that includes representatives of all of the appointing authorities described in section 4 of this chapter, the county fiscal body may elect to designate that existing organization as the county's team for purposes of this chapter.

SECTION 88. IC 31-37-24-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. Before January 1 of each year, the team shall prepare and submit to the ~~judges~~ **judge** having juvenile jurisdiction the team's plan for review and comment. The judge shall submit any comments to the chairperson not more than fifteen (15) calendar days after receiving the plan. The team shall before January 25 of each year transmit a copy of the initial plan,

1 including any comments from the judges, to:
 2 (1) the director; and
 3 (2) the state superintendent of public instruction.
 4 SECTION 89. IC 31-37-24-10 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. The team may
 6 adopt as its plan an existing plan for provision of family preservation
 7 services, ~~as defined in IC 12-7-2-82.3~~, that:
 8 (1) is in effect in the county;
 9 (2) includes services for a child less than eighteen (18) years of
 10 age who reasonably may be expected to face out of home
 11 placement under IC 31-34 or IC 31-37 as a result of:
 12 (A) dependency, abuse, or neglect;
 13 (B) emotional disturbance; or
 14 (C) delinquency adjudication; and
 15 (3) addresses all of the objectives described in this section.
 16 SECTION 90. IC 31-37-24-18, AS AMENDED BY P.L.234-2005,
 17 SECTION 188, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2007]: Sec. 18. The
 19 ~~(1)~~ juvenile court, in implementing a program of informal
 20 adjustment for a child under IC 31-34-8, ~~and~~
 21 ~~(2) department of child services, in proposing a voluntary services~~
 22 ~~referral agreement for the benefit of a child under IC 31-33-13;~~
 23 shall consider and use to the extent feasible any available services
 24 described in an early intervention plan approved under this chapter".
 25 Page 71, line 42, after "July 1, 2007]:" insert "IC 12-7-2-82.3;".
 26 Page 72, line 1, delete "IC 31-34-24-5;".
 27 Page 72, line 2, delete "IC 31-37-24;" and insert "IC 31-37-24-17;".
 28 Renumber all SECTIONS consecutively.
 (Reference is to ESB 328 as printed April 6, 2007.)

Representative Summers